REMARKS

Reconsideration and withdrawal of all grounds of rejection, and allowance of the pending claims are respectfully requested in light of the amendments and remarks made herein.

The applicants gratefully acknowledges the Office Action's suggestion to add section headings (under 37 CFR 1.77(b), applicant, however, respectfully declines to add the headings as they are not required in accordance with MPEP §608.01(a).

Such section headings are not statutorily required for filing a non-provisional patent application under 35 USC 111(a), but per 37 CFR 1.51(d) are only guidelines that are suggested for applicant's use. They are not mandatory, and in fact when Rule 77 was amended in 1996 (61 FR 42790, Aug. 19, 1996), Bruce A. Lehman, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, stated in the Official Gazette:

> "Section 1.77 is permissive rather than mandatory. ... 1.77 merely expresses the Office's preference for the arrangement of the application elements. The Office may advise an applicant that the application does not comply with the format set forth in 1.77, and suggest this format for the applicant's consideration; however, the Office will not require any application to comply with the format set forth in 1.77."

Miscellaneous Changes in Patent Practice, Response to comments 17 and 18 (Official Gazette, August 13, 1996) [Docket No: 950620162-6014-02] RIN 0651-AA75.

A later amendment to 37 CFR 1.77 (65 FR 54628) (http://www.uspto.gov/web/offices/com/sol/notices/patbusgoals.pdf) does not change this.

Claims 1-8, 10-14, 16, 18, and 19 stand rejected under 35 USC 102(b) as being anticipated by Gordon II et al. (U.S. Patent No. 6,271,823).

Claim 1, as amended, recites the limitations of: "a color electrophoretic display comprising at least one pixel operative to display visible light in a predetermined range of three or more wavelengths, each pixel comprising at least two sub-pixels which each comprise: a color filter operative to absorb one sub-range of said predetermined range of wavelengths *and pass the other wavelengths...* " Applicants can find nothing in Gordon that teaches or implies these limitations.

Importantly, in the present invention, the predetermined range of wavelengths in which the display is to operate is divided into, for example, three spectral sub-ranges, where each sub-range corresponding to a color portion of the complete range of wavelengths. In prior art RGB displays with a low degree of complexity (i.e. only one or two particle types), each sub-pixel is typically devoted to display only one of the three colors and is thus switchable between a dark state and a specific color state. However, in the inventive display, each sub-pixel is operative to display two spectral sub-ranges (i.e. every sub-range except the one that is absorbed by the respective color filter element). Thereby any given wavelength in the predetermined range of wavelengths can be displayed by two sub-pixels instead of only one sub-pixel, resulting in a twice as bright low complexity display

The Office Action points col. 7, lines 37-42 to show these limitations. Applicants respectfully disagree. In this section Gordon teaches that "...the pigment particles absorb the color of light transmitted by their associated color filter so that the cell, in its distributed state, will reflect substantially no light" (see col. 7, lines 43-46 and col. 7, lines 13-28). Thus, Gorgon does not teach to absorb one sub-range and pass the other wavelengths, as claimed in the present invention.

Since Gorgon does not teach all of the limitations of independent claim 1, it can not anticipate the present invention. For at least the above cited reasons, Applicant submits that Claim 1 is patentable over Gorgon.

Claims 9, 15, 17, 20 and 21 stand rejected under 35 USC 103(a) as being unpatentable over Gordon II et al. (U.S. Patent No. 6,271,823) in further view of Herb et al (U.S Pub. 2003/0132908).

With regard to claims 2-21 these claims depend from an independent claim discussed above, which has been shown to be allowable in view of the cited reference. Accordingly, each of claims 2-21 are also allowable by virtue of its dependence from an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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